

**House File 2011 - Reprinted**

HOUSE FILE 2011

BY JONES

(As Amended and Passed by the House March 1, 2016)

**A BILL FOR**

1 An Act relating to the criminal offense of sexual exploitation  
2 by a school employee.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 709.15, subsection 1, paragraph f, Code  
2 2016, is amended by striking the paragraph and inserting in  
3 lieu thereof the following:

4 f. (1) "*School employee*" means any of the following, except  
5 as provided in subparagraph (2):

6 (a) A person who holds a license, certificate,  
7 authorization, or statement of professional recognition issued  
8 under chapter 272.

9 (b) A person employed by a school district full-time,  
10 part-time, or as a substitute.

11 (c) A person who performs services as a volunteer for a  
12 school district and who has significant contact with students.

13 (d) A person who provides services under a contract for such  
14 services to a school district and who has significant contact  
15 with students.

16 (2) "*School employee*" does not include the following:

17 (a) A student enrolled in a school district.

18 (b) A person who holds a coaching authorization issued  
19 under section 272.31, subsection 1, if the person is less than  
20 four years older than the student with whom the person engages  
21 in conduct prohibited under subsection 3, paragraph "a", and  
22 the person is not in a position of direct authority over the  
23 student.

24 (c) A person who performs services as a volunteer for a  
25 school district and who has significant contact with students  
26 enrolled in the school district, if the person is less than  
27 four years older than the student with whom the person engages  
28 in conduct prohibited under subsection 3, paragraph "a", and  
29 the person is not in a position of direct authority over the  
30 student.

31 Sec. 2. Section 709.15, subsection 3, Code 2016, is  
32 amended by adding the following new paragraph:

33 NEW PARAGRAPH. c. The provisions of this subsection do  
34 not apply to a person who is employed by, volunteers for,  
35 or provides services under a contract for such services to a

1 school district, if the student is not enrolled in the same  
2 school district that employs the person or for which the person  
3 volunteers or provides contracted services, and the person  
4 does not meet the requirements of subsection 1, paragraph "f",  
5 subparagraph (1), subparagraph division (a).